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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,216	03/30/2001	Victor B. Lortz	42390P9915	6073

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EXAMINER

BROSS, EDWARD J

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,216

Applicant(s)

LORTZ, VICTOR B.

Examiner

Edward Bross

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

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DETAILED ACTION

Drawings

1. The drawings are objected to because in Figure 2, line 204, the text “class3:stateC” as described in the specification has been omitted. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: on page 7, line 20, “pluginClass2” is misspelled.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 4, 6, 10, 13, 15, and 18 rejected under 35 U.S.C. 102(e) as being clearly anticipated by Walker (6,138,171).

5. As per claims 1, 10, and 15, Walker discloses:

identifying a plurality of states and associated state classes to a state machine;

identifying a plurality of events and associated state transitions to the state machine; and

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the state machine creating state objects and a transition map according to the plurality of states and events (e.g. col. 3, lines 10-16).

6. As per claims 4, 13, and 18, Walker discloses identifying at least one state factory to the state machine, the state machine invoking the state factory to create the state objects (e.g. col. 8, lines 35-50).

7. As per claim 6, Walker discloses extending a base state class to create at least one extended state class; configuring a base state machine class to operate with the extended state classes; and associating the extended state class with a state (col. 6 lines 1-8).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2, 3, 11, 12, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Morcos et al. and Chandra et al. (5,517,432).

10. As per claims 2, 11, and 16, Walker discloses the limitations of claims 1, 10, and 15 as in the above 102 rejection. Walker does not disclose a plug-in class to monitor events. Morcos et al. discloses a plugin-in class (e.g. col. 6, lines 51-58) but does not disclose such a class to monitor events in a state machine. Chandra et al. discloses a component to monitor the state of a state machine (e.g. claim 17). At the time of the invention it would have been obvious to a

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person of ordinary skill in the art to add the monitoring component disclosed by Chandra using the plug-in disclosed by Morcos in the state machine disclosed by Walker in order to be able to react to changes in the state machine in a highly customizable manner.

11. As per claims 3, 12, and 17, Walker discloses the limitations of claims 2, 11, and 16 as above. Walker does not disclose a plug-in object that causes state transitions in a state machine. Morcos et al. discloses a plugin-in object (e.g. col. 6, lines 51-58) but does not disclose such an object that causes state transitions in a state machine. Chandra et al. discloses an input component that interacts with the state of a state machine to cause it to transition states (e.g. claim 14). At the time of the invention it would have been obvious to a person of ordinary skill in the art to add the input component disclosed by Chandra using the plug-in disclosed by Morcos in the state machine disclosed by Walker in order to control and modify that state machine in a highly customizable manner.

12. Claims 5, 7, 8, 9, 14, and 19 rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Morcos et al. (6,167,404).

13. As per claims 5, 14, and 19, Walker discloses the limitations of claims 1, 10, and 15 as in the above 102 rejection. Walker does not disclose a plug-in factory. Morcos et al. discloses a plug-in factory (e.g. col. 6, lines 51-58). At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the plug-in factory disclosed by Morcos in the state machine disclosed by Walker to gain the benefits of the factory design pattern.

14. As per claims 7 and 8, Walker discloses the limitations of claim 6 as in the above 102 rejection. Walker also discloses a state factory for creating instances of state objects including extended state objects (e.g. col. 8, lines 35-50). Walker does not disclose extending a base plug-

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in class. Morcos et al. discloses extending a base plug-in class (e.g. col. 6 line 59 – col. 7 line4). At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the extendable base plug-in class disclosed by Morcos in the state machine disclosed by Walker in order to gain the typical benefit of extending a generic base class, namely shortened development time to produce custom plug-ins.

15. As per claim 9, Walker and Morcos et al. disclose the limitations of claim 7 as above. Walker does not disclose a pug-in factory for extended plug-in classes. Morcos discloses a plug-in factory for extended plug-in classes (col. 6, lines 51-58). At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the factory disclosed by Morcos with the state machine of Walker in order to gain the typical benefit of the factory design pattern, namely a generic method of creating instances of customized classes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Bross whose telephone number is 305-9705. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 305-8498. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

EB



**JOHN FOLLANSBEE
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